REMARKS

In the Office Action dated May 16, 2007, claims 1-9 are pending, claims 1 and 8 are withdrawn, and claims 2-7 and 9 are rejected. Reconsideration is requested, at least for the reasons discussed herein.

The above amendments are submitted to more particularly point out and distinctly claim the subject matter regarded as invention. No new matter is added. It is respectfully submitted that the scope of the invention is not changed. The claim is merely clarified. Support for the amendments can be found throughout the application as originally filed. See particularly Fig. 1 and the description at pages 14-15.

Objection is made to the specification regarding the amendment to the paragraph bridging pages 10-11. The above amendment is made as kindly suggested by the Examiner. Thus, this objection is now moot.

Claims 2-4 and 9 are rejected under 35 U.S.C. §102(b) over Kamiwano et al. (JP 11-047572; "Kamiwano"). Kamiwano discloses a system very different from the presently claimed invention. In Kamiwano, the dissolved components from reactor vessel 1 are discharged into a blasting vessel 22 where a "blasting nozzle and a blasting aperture, a collision plate and enclosure 25" are formed, into which exhaust nozzles 24 discharge [0022]. See also figure 2. The dissolved materials then are fed into a further vessel 27 where separation occurs.

In the present invention, the structure permits forming of particles and separation from the supercritical or subcritical fluid occurs upon discharge of from the jet mechanism into the open region of an open chamber such that generally spherical particles can be formed. There is no "blasting nozzle and a blasting aperture, no collision plate and no enclosure 25" as taught by Kamiwano. Discharge into an open region of an open chamber is contrary to discharging into a collision plate, as taught by

Kamiwano. Generally spherical particles cannot be formed by discharging from a blasting nozzle into a collision plate.

Thus, it is not seen how the present invention is anticipated by Kamiwano. Further, it is not seen how the present invention would have been obvious to one of ordinary skill in the art in view of Kamiwano.

Claims 5-7 are rejected under 35 U.S.C. §103(a) over Kamiwano et al. in view of Inoue (EP 0 526 699). Kamiwano is discussed above. The Examiner admits that Kamiwano is silent as to the developer material carrier being rotatable. Inoue is cited to make up for the deficiencies in Kamiwano.

However, Inoue *fails* to make up for the deficiencies of Kamiwano. Inoue also fails to teach or suggest a structure permitting discharge of from the jet mechanism into the open region of an open chamber such that generally spherical particles can be formed.

Inoue discloses a dispersing and grinding apparatus. The Inoue relates to apparatus that uses dispersing, grinding media such as balls, beads, etc. [col. 1, lines 5-10]. It is well known to use such dispersing grinding media to finely disperse particles in a fluid. In Inoue, the dispersing media does not flow out of the basket into the tank [col. 2, lines 20-25]. However, the present invention dissolves a resin in a subcritical or supercritical fluid; no grinding media is utilized. It is not seen how the disclosure of Inoue is relevant to the present invention. It is respectfully submitted that one of ordinary skill in the art would not look to Inoue for developing a method for dissolving a resin in a subcritical or supercritical fluid. It is not seen how one of ordinary skill in the art would combine the teachings of Kamiwano with Inoue. Further, even if one of ordinary skill in the art were to combine the teachings, it is not seen what combination would result or how the present invention would result.

Inoue is totally silent on use of subcritical or supercritical fluid. Inoue fails to teach or suggest dissolving developer components in a subcritical or supercritical fluid

and, then, ejecting the fluid with dissolved components under pressure into an open chamber to form particles.

Because neither Inoue, nor, Kamiwano, nor their combination teach or suggest dissolving developer components in a subcritical or supercritical fluid and, then, ejecting the fluid with dissolved components under pressure into an open region of an open chamber to form generally spherical particles, it is not seen how the present invention would have been obvious in view of any combination of Kamiwano and Inoue.

In view of the above amendment, applicant believes the pending application is in condition for allowance.

If for any reason a fee is required, a fee paid is inadequate or credit is owed for any excess fee paid, the Commissioner is hereby authorized and requested to charge Deposit Account No. **04-1105**.

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Respectfully submitted,

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